IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc.No.1059-M of 2007

DATE OF DECISION: FEBRUARY 22, 2007

Pritam

...PETITIONER

VERSUS

State of Punjab

...RESPONDENT

CORAM: HON'BLE MR.JUSTICE SATISH KUMAR MITTAL

Present: Mr. Rajiv Vij, Advocate,
for the petitioner.
Mr.N.S.Gill, AAG, Punjab.

...

Petitioner Pritam has filed this petition under Section 439 Cr.P.C. for grant of regular bail in case FIR No.232 dated 6.5.2006 registered under Sections 15/61/85 of the NDPS Act at Police Station Sadar, Jalandhar.

I have heard the counsel for the parties and gone through the contents of the FIR.

In this case, a secret information was received in which it was specifically mentioned that Pritam Singh and his wife Charno were selling the poppy husk from their house. On the said secret information, a raid was conducted. On seeing the police party, the petitioner ran away from the spot and Charno, the alleged wife of Pritam Singh, was arrested and from the house four bags containing 97 Kgs. of poppy husk were recovered. The consent memo of Charno was prepared in which she stated that she is the wife of Pritam Singh.

Counsel for the petitioner contends that the petitioner is not the husband of said Charno. He claims that the name of his wife is Hanifa @ Nifa. Counsel for the respondent-State, on instructions from HC Raj Pal Singh, submitted that during the investigation, it was found that the petitioner was living with Charno as husband and wife and there is 10 years old daughter from the couple.

Keeping in view the aforesaid facts and the fact that the recovery was effected from the house where the petitioner was living with Charno and on seeing the police party, he ran away from the spot, I am not inclined to grant regular bail to the petitioner at this stage.

Dismissed.

February 22, 2007 (SATISH KUMAR MITTAL)
vkg JUDGE